

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARINGS OF
THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
MARCH 20, 2013**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, March 20, 2013, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. February 20, 2013 regular common council meeting
2. February 28, 2013 informational meeting-IACT webinar
3. March 4, 2013 special joint meeting with the Utility Service Board-3rd Ave grant

A **motion** was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to adopt the minutes as a group. Motion carried 7-0.

Public hearing. Mayor Seitz opened the public hearing regarding the petition of Jerome J. and M. Ann Hilgefert to vacate a public utility and drainage easement within Lot No. 1 in the Buffalo Knoll subdivision. A notice appeared in the Herald on March 5, 2013 and was posted at city hall.

Brad Eckerle with Brosmer Land Surveying, representing Jerome J. and M. Ann Hilgefert, said the Hilgeferts want to vacate a public utility and drainage easement within Lot No. 1 in the Buffalo Knoll subdivision because they want to construct a home on that lot. The lot is located between 36th Street and Lottes Lake approximately 350 feet east of Mill Street. Eckerle said no utilities are located within this easement. Eckerle also said the street department expressed some concerns about drainage in its department comments regarding this vacation. There are two road drainage culverts that are owned and maintained by the County of Dubois that drain onto or near this lot. The construction of a house on this lot could alter the drainage or conveyance of water from these culverts.

Mayor Seitz then asked for public comments. No comments were received.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Raymond Howard to close the public hearing. Motion carried 7-0.

ORDINANCE NO. 2013-4 AN ORDINANCE VACATING PUBLIC UTILITY AND DRAINAGE EASEMENTS

This ordinance vacates a public utility and drainage easement within Lot No. 1 in the Buffalo Knoll subdivision-[Hilgefert petition].

A motion was made by Council member Raymond Howard and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Thomas Schmidt to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2013-4. Motion carried 7-0.

Public hearing. Mayor Seitz opened the public hearing regarding the petition of Kerstiens Development Inc to vacate a public right-of-way in Silver Springs III. A notice appeared in the Herald on March 5, 2013 and was posted at city hall.

Brad Eckerle with Brosmer Land Surveying, representing Kerstiens Development Inc, said Kerstiens wants to replat three lots in Silver Springs III into two lots and call the subdivision Demotte's First Addition. They will seek secondary approval for the Demotte plat after Lechner Lane is widened. Kerstiens wants to vacate an unimproved right-of-way known as Kaywood Lane that is situated on the west side of Lechner Lane approximately 650 feet south of 2nd Street.

Council member Thomas Schmidt asked who is responsible for the retention pond located in the proposed Demotte's First Addition subdivision. Eckerle's response was the owner of the lot where the retention pond is located.

Mayor Seitz then asked for public comments. No comments were received.

Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to close the public hearing. Motion carried 7-0.

ORDINANCE NO. 2013-5 AN ORDINANCE VACATING PUBLIC RIGHT OF WAY

This ordinance vacates public right-of-way in Silver Springs III. [Kerstiens Development petition]

A motion was made by Council member David Prechtel and seconded by Council member Randall Buchta to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Gregory Schnarr to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2013-5. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on March 18, 2013. Copies of the minutes are supplied to each council member.

JCAC. Jasper Community Arts Commission member Kara Bodle attended the meeting on behalf of the Board. She thanked the council members for their continued support. She said there is a display in the gallery as part of youth arts month. Bodle named some of the upcoming events and performances such as the Russian National Ballet on March 22, 2013.

Additional Appropriation Request. Police Chief J. Michael Bennett asked for a \$40,000 appropriation from the Local Police Continuing Education Fund [LPCE] in order to purchase a 2013 unmarked Police Dodge Charger and to upgrade some computers. He said as of today there is approximately \$80,000 in that Fund and he would probably utilize \$37,000-38,000 for these items. Because the city needs to replace two police officers, Council member Randall Buchta asked the Chief if there were enough funds in his budget to pay for all the training for the two officers. Bennett said yes.

ORDINANCE NO. 2013-6 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2013

This ordinance appropriates money for the Local Police Continuing Education Fund.

A motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to consider the ordinance for one reading only.

Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Raymond Howard to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Thomas Schmidt to pass and adopt Ordinance No. 2013-6. Mayor Seitz said a notice to taxpayers appeared in the Herald on March 9, 2013. He then asked for public comments. No comments were received. Thereafter, he called for the vote to pass and adopt Ordinance No. 2013-6. Motion carried 7-0.

ORDINANCE NO. 2013-3 AN ORDINANCE AMENDING ORDINANCE NO. 788 ENTITLED AN ORDINANCE PROVIDING FOR CUTTING INTO AND EXCAVATION OF PUBLIC STREETS

This ordinance changes the fees to repair a right-of-way cut.

A motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Kevin Manley to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2013-3. Motion carried 7-0.

Under discussion Mayor Seitz said this amendment is recommended by the Board of Public Works and Safety. The ordinance increases the fee for patching a cut into the City's pavement from \$4.26 per sq. ft. to \$7.02 per sq. ft. and the fee to revisit due to improper backfill compaction from \$2.01 per sq ft to \$3.30 per sq ft. If adopted, the revised fees are effective July 1, 2013.

Dubois Strong report. Michael Cummings gave a report about Dubois Strong, a public/private organization to promote economic development in Dubois County. He reported on such things as the organization's goals, how it is funded, its programs, partnership initiatives and focus areas. He also commented on the Board's restructure.

Upcoming events. Mayor Seitz announced that CityVisions will conduct a public workshop on April 2, 2013 to seek input regarding the downtown Jasper master plan. It will be held at 102 Third Avenue from 5:30 p.m.-8:00 p.m.

On April 3, 2013 a public meeting of the advisory group for the former country club property will meet at the Habig Center from 3:00 p.m.-4:30 p.m.

Former Jasper Cabinet property update. Mayor Seitz reported that currently there is some proposed legislation on the Senate floor that could permit housing along a specific section of Patoka River near the former Jasper Cabinet property. If the bill is passed, it would create more opportunities for this property.

German American Boulevard. Mayor Seitz announced that groundbreaking for the German American Boulevard will be held Monday, March 25, 2013 at 10:00 a.m.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:07 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 17th day of April, 2013.

Mayor Terry Seitz
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer